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P.O. Box 818, Middleburg, Virginia 20118
Phone (703) 754-1860 • Fax (703) 753-8481
e-mail: teklaw2000@aol.com

Corporate, Patent & Trademark,
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OFFICE

James W. Hiney
Admitted to practice in
the District of Columbia and
the Commonwealth of Virginia

U.S. Patent & Trademark Office
Office of Finance

Refund Section
2011 So. Clark Place
Crystal Plaza 2, Room 1B03, Mail Room
Arlington, VA 22202

Re: Refund request in Serial No. 09/327,266

Nov. 26, 2001

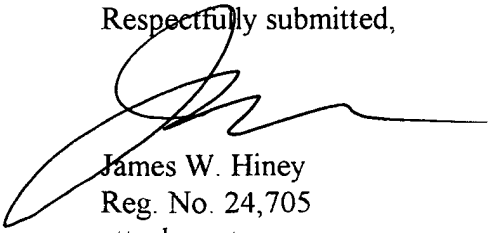
Dear Madam/Sir,

Attached is a copy of the granted petition in the above serial no. As a reading of the Decision states, the Office admitted its mistake in causing applicant to file a petition. In the last paragraph on page 1 of the decision, it notes that petitioner may request a refund of the petition fee of \$620.00.

As the undersigned, the attorney of record in the application, advanced the fee, please issue a check to James W. Hiney for the amount of \$620.00.

Thank you.

Respectfully submitted,


James W. Hiney
Reg. No. 24,705
attachment

Adjustment date: 12/14/2001 AKELLEY
12/08/2000 GTEFFERA 00000065 09327266
01 FC:241 -620.00 DP

Refund Ref:
12/14/2001 AKELLEY 0000112735

CHECK Refund Total: \$620.00

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Paper No. 7

JAMES W HINEY
1872 PRATT DRIVE
SUITE 1100
BLACKSBURG, VA 24060

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MAR 06 2001

In re Application of
Roe-Hoan Yoon
Application No. 09/327,266
Filed: June 7, 1999
Attorney Docket No. MCT-2

**OFFICE OF PETITIONS
A/C PATENTS**

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 6, 2000, to revive the above-identified application. In view of the allegation in the petition of the timely filing of a reply and the evidence submitted in support thereof, the petition is more properly a petition under 37 CFR 1.181 requesting withdrawal of the holding of abandonment in the above-identified application and has been so treated.

The petition to withdraw the holding of abandonment is **Granted**.

The above-identified application was held abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Application (Notice) mailed July 15, 1999. The Notice set a period for reply of two (2) months from the mail date of the Notice.

Petitioner stated in the petition that the original declaration was filed with the new application. After reviewing the application, the declaration asserted to have been filed with the application is in fact in the application. Therefore, the requirement for an oath or declaration made in the Notice of July 15, 1999 was improper. Accordingly, the Notice of July 15, 1999 is vacated.

A petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 does not require a fee. Accordingly, petitioner may request a refund the petition fee of \$620 by writing to the Office of Finance, Refund Section. A copy of this decision should accompany petitioner's request.

The Office sincerely apologizes for the inconvenience caused petitioner in this matter.

This application is being returned to the Office of Initial Patent Examination Division for Preexamination Processing.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.



Frances Hicks
Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy